

REMARKS

Claims 1 - 6 are pending in the present application. By this Amendment, claims 1, 2, 4 and 5 have each been amended. No new matter has been added. It is respectfully submitted that this Amendment is fully responsive to the Office Action dated August 20, 2004.

Allowable Subject Matter:

Applicants gratefully acknowledge the indication in item 5 of the Office Action that claims 2, 3, 5 and 6 would be allowable, if amended, to include all of the limitations of the base claim and any intervening claims.

However, for at least the reasons discussed below, it is respectfully submitted that all of claims 1 - 6 are allowable.

Abstract:

The Abstract stands objected to in item 1 of the Action due to its length. As such, the Abstract has been amended to overcome this objection. Accordingly, withdrawal of this objection is respectfully requested.

Claim Objections:

Claim 2 and 5 stand objected in item 2 of the Action, since each of these claims fails to include a period at the end of the claims. As such, each of claims 2 and 5 has been amended to overcome this objection. Accordingly, withdrawal of this objection is respectfully requested.

As to the Merits:

As to the merits of this case, the Examiner set forth the following rejection:

claims 1 and 4 stand rejected under 35 U.S.C. 102(b) as being clearly anticipated by

Takahashi (U.S. Patent No. 4,904,943).

This rejection is respectfully traversed.

Claim 1, as amended, now calls for estimating the origin time from the starting time of electric field increase; and estimating the hypocentral distance and the scale from the elapsed time from said origin time and said measured data. Claim 4 is drawn to a similar embodiment.

Takahashi discloses a system wherein pre-earthquake electromagnetic waves are readily detected such that “it is therefore possible to estimate the magnitude of the impending earthquake from the intensity of the received pre-earthquake electromagnetic waves,”¹ as well as it is “possible to predict an earthquake two hours before the principal shock happens.”²

That is, **Takahashi** is not concerned with estimating the origin time of an earthquake almost simultaneously with the occurrence of the earthquake from the starting time of an electric field increase or estimating the elapsed time from the origin time, since instead **Takahashi** attempts to predict the time the earthquake is likely to occur preferably more than two hours before the earthquake occurs from the pre-earthquake waves.

¹ Please see lines 18-21, column 6 of **Takahashi**.

² Please see lines 37-39, column 6 of **Takahashi**.

Moreover, since **Takahashi** fails to estimate the origin time, it follows that **Takahashi** also fails to disclose or fairly suggest estimating the hypocentral distance and the scale from the elapsed time from said origin time and said measured data, as called for in claim 1.

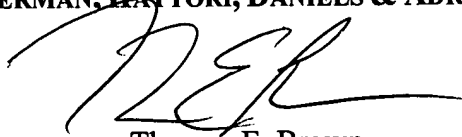
In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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